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8 **UNITED STATES DISTRICT COURT**

9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,)
)
 11 Plaintiff,)
)
 12 v.) 2:09-CV-1647-LRH (VCF)
)
 13 \$49,205.27 IN UNITED STATES CURRENCY,)
)
 14 Defendant.)

15 **UNITED STATES' UNOPPOSED MOTION TO CONTINUE**
 16 **THE DATE TO FILE ITS COMPLAINT FOR FORFEITURE *IN***
 17 ***REM* IN THE ABOVE-CAPTIONED MATTER AND ORDER**
(Eleventh Request)

18 The United States of America ("United States"), by and through Daniel G. Bogden, United
 19 States Attorney, and Michael A. Humphreys, Assistant United States Attorney, respectfully applies
 20 for an extension of time until and including January 21, 2013, pursuant to 18 U.S.C. § 983(a)(3)(A),
 21 for the United States to file a Civil Complaint for Forfeiture *In Rem* against the \$49,205.27 in United
 22 States Currency. The Government's Complaint is currently due September 20, 2012.

23 Gregg Gariti and numerous associates of his have been the focus of a historical state/federal
 24 criminal investigation into their activities of alleged unlawful gaming activities in Nevada and
 25 elsewhere. Generally speaking, the Government has developed information that Gariti and others
 26 were operating an illegal book-making operation from approximately December 2008 through

1 approximately April 2009, all in violation of 18 U.S.C. § 1084 and other federal anti-gambling
2 statutes. A principal situs of that illegal operation was Las Vegas, Nevada.

3 Pursuant to plea negotiations between Mr. Gariti and the Government, on September 24,
4 2009, Mr. Gariti entered a change of plea before this Court.

5 In the meantime, the Government has a deadline, under the strictures of 18 U.S.C. § 983
6 (a)(3)(A), to file its forfeiture complaint, regarding the above-captioned currency, no later than
7 September 20, 2012.

8 The criminal case will not be disposed of by the time the Government is required to file its
9 complaint. However, counsel for the United States believes that there will be a final disposition of
10 this matter before the expiration of the time period for the continuance requested herein; making
11 further requests for continuances unnecessary.

12 Finally, on September 19, 2012, defendant's counsel, Margaret Stanish, agreed to the
13 extension of time and authorized counsel for the United States to file this Unopposed Motion with this
14 Court. Because the parties have agreed to the extension of time to file a Civil Complaint For
15 Forfeiture In Rem and to facilitate a final universal plea/sentencing disposition, this Court should
16 extend the time.

17 This motion is not submitted solely for the purpose of delay or for any other improper
18 purpose.

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DATED this 20th day of September, 2012.

DANIEL G. BOGDEN
United States Attorney

IT IS SO ORDERED:

CAM FERENBACH
UNITED STATES MAGISTRATE JUDGE
DATED: 9/21/2012

PROOF OF SERVICE

I, Elizabeth A. Baechler-Warren, certify that Claimant's counsel Margaret Stanish was served with the **UNITED STATES' UNOPPOSED MOTION TO CONTINUE THE DATE TO FILE ITS COMPLAINT FOR FORFEITURE *IN REM* IN THE ABOVE-CAPTIONED MATTER AND ORDER (Eleventh Request)** on September 20, 2012, by the below identified method of service:

U.S. Mail

Margaret Stanish
300 S. Fourth Street,
Suite 701
Las Vegas, NV 89101
Counsel for Gregg Gariti

/s/ Elizabeth A. Baechler-Warren
ELIZABETH A. BAECHLER-WARREN
Forfeiture Support Associate Paralegal